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10 Attorneys for Plaintiffs

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13 IN THE UNITED STATES DISTRICT COURT  
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 GIL CROSTHWAITE, et al., in their capacities  
16 as Trustees of the OPERATING ENGINEERS  
17 HEALTH AND WELFARE TRUST FUND  
18 FOR NORTHERN CALIFORNIA, et al.,

Case No.: C07-2195 SC

**STIPULATION OF VOLUNTARY  
DISMISSAL**

19 Plaintiffs,  
20 v.  
21 MARTIN GENERAL ENGINEERING, INC.,  
22 a California Corporation, and MARTIN  
23 TRANQUILINO,  
24 Defendants.

25 PLEASE TAKE NOTICE that pursuant to F.R.C.P., Rule 41(a)(1)(ii), Plaintiffs Operating  
26 Engineers Health and Welfare Trust Fund for Northern California, et al., and Defendants Martin  
27 General Engineering, Inc. and Martin Tranquilino stipulate to the voluntarily dismissal, with  
28 prejudice, of Defendants Martin General Engineering, Inc. and Martin Tranquilino in this action.  
Defendants have paid all amounts claimed by plaintiffs, and plaintiffs have not previously filed or  
dismissed any similar action against defendant.

Dated: February 3, 2009

SALTZMAN & JOHNSON  
LAW CORPORATION

29 By: \_\_\_\_\_ /S/  
30 Michele R. Stafford  
31 Attorneys for Plaintiffs

**STIPULATION OF VOLUNTARY DISMISSAL**  
**Case No. C07-2195 SC**

1 Dated: February 5, 2009

KOELLER, NEBEKER,  
CARLSON & HALUCK

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By: \_\_\_\_\_ /S/ \_\_\_\_\_

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Bill Ocken

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Attorneys for Defendants

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IT IS SO ORDERED.

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Dated: 2/10/09

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**NOTICE OF VOLUNTARY DISMISSAL**  
**Case No. C07-2195 SC (BZ)**